

Frances A. Smith
State Bar No. 24033084
Eric Soderlund
State Bar No. 24037525
ROSS & SMITH, PC
700 North Pearl Street, Suite 1610
Dallas, Texas 75201
Telephone: 214-377-7879
Facsimile: 214-377-9409
Email: frances.smith@judithwross.com
eric.soderlund@judithwross.com

Co-Counsel for Scott Ellington

Michelle Hartmann
State Bar No. 24032402
BAKER & McKENZIE LLP
1900 North Pearl, Suite 1500
Dallas, TX 75201
Telephone: 214-978-3000
Facsimile: 214-978-3099
Email: michelle.hartmann@bakermckenzie.com

Debra A. Dandeneau (admitted *pro hac vice*)
Frank Grese (admitted *pro hac vice*)
BAKER & McKENZIE LLP
452 Fifth Avenue
New York, NY 10018
Tel: 212-626-4100
Fax: 212 310-1600
Email: debra.dandeneau@bakermckenzie.com
frank.grese@bakermckenzie.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

SCOTT BYRON ELLINGTON,

Petitioner,

v.

PATRICK DAUGHERTY,

Respondent.

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 22-03003-sgj
*Removed from the 101st Judicial
District Court of Dallas County,
Texas Cause No. DC-22-0304*

NOTICE OF HEARING

PLEASE TAKE NOTICE that the following matter is scheduled for a hearing on Tuesday, March 29, 2022 at 1:30 p.m. (the “**Hearing**”) in the above-captioned adversary proceeding (the “**Adversary Proceeding**”):

1. *Scott Ellington's Emergency Motion to Abstain and to Remand* [Dkt. No. 3] (the "**Motion**").

The Hearing on the Motion will be held via WebEx videoconference before the Honorable Stacey G. C. Jernigan, United States bankruptcy Judge. The WebEx video participation/attendance link for the Hearing is: <https://us-courts.webex.com/meet/jerniga>.

A copy of the WebEx Hearing Instructions for the Hearing is attached hereto as **Exhibit A**; alternatively, the WebEx Hearing Instructions for the Hearing may be obtained from Judge Jernigan's hearing/calendar site at: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judgejernigans-hearing-dates>.

Dated: January 31, 2022

By: /s/ Frances A. Smith

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Frank Grese (admitted *pro hac vice*)
BAKER & MCKENZIE LLP
452 Fifth Ave
New York, NY 10018
Telephone: 212-626-4875
Email: debra.dandeneau@bakermckenzie.com
Email: frank.grese@bakermckenzie.com
(Admitted *pro hac vice*)

Co-Counsel for Scott Ellington

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 31st day of January 2022, a true and correct copy of the above and foregoing document was served on all known counsel via email as set forth below and by the Court's ECF filing system on those parties who have registered for receipt of electronic notice in this case.

/s/ Frances A. Smith

Frances A. Smith

Drew K. York <dyork@grayreed.com>, Counsel for Patrick Daugherty;

Drake Rayshell <drayshell@grayreed.com>, Counsel for Patrick Daugherty;

Ruth Ann Daniels <rdaniels@grayreed.com>; Counsel for Patrick Daugherty;

John Morris jmorris@pszjlaw.com, Counsel for the Debtor;

Jeffrey N. Pomerantz jpomerantz@pszjlaw.com, Counsel for the Debtor;

Jason S. Brookner jbrookner@grayreed.com, Counsel for Patrick Daugherty.

WebEx Hearing Instructions

Judge Stacey G. Jernigan

Pursuant to General Order 2020-14 issued by the Court on May 20, 2020, all hearings before Judge Stacey G. Jernigan are currently being conducted by WebEx videoconference unless ordered otherwise.

For WebEx Video Participation/Attendance:

Link: <https://us-courts.webex.com/meet/jerniga>

For WebEx Telephonic Only Participation/Attendance:

Dial-In: 1.650.479.3207

Meeting ID: 479 393 582

EXHIBIT

A

Participation/Attendance Requirements:

- Counsel and other parties in interest who plan to actively participate in the hearing are encouraged to attend the hearing in the WebEx video mode using the WebEx video link above. Counsel and other parties in interest who will not be seeking to introduce any evidence at the hearing and who wish to attend the hearing in a telephonic only mode may attend the hearing in the WebEx telephonic only mode using the WebEx dial-in and meeting ID above.
- Attendees should join the WebEx hearing at least 10 minutes prior to the hearing start time. Please be advised that a hearing may already be in progress. During hearings, participants are required to keep their lines on mute at all times that they are not addressing the Court or otherwise actively participating in the hearing. **The Court reserves the right to disconnect or place on permanent mute any attendee that causes any disruption to the proceedings.** For general information and tips with respect to WebEx participation and attendance, please see Clerk's Notice 20-04: https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips_0.pdf
- **Witnesses are required to attend the hearing in the WebEx video mode and live testimony will only be accepted from witnesses who have the WebEx video function activated.** Telephonic testimony without accompanying video will not be accepted by the Court.
- All WebEx hearing attendees are required to comply with Judge Jernigan's Telephonic and Videoconference Hearing Policy (included within Judge Jernigan's Judge-Specific Guidelines): <https://www.txnb.uscourts.gov/content/judge-stacey-g-c-jernigan>

Exhibit Requirements:

- Any party intending to introduce documentary evidence at the hearing must file an exhibit list in the case with a true and correct copy of each designated exhibit filed as a separate, individual attachment thereto so that the Court and all participants have ready access to all designated exhibits.
- If the number of pages of such exhibits exceeds 100, then such party must also deliver two (2) sets of such exhibits in exhibit binders to the Court by no later than twenty-four (24) hours in advance of the hearing.

Notice of Hearing Content and Filing Requirements:

IMPORTANT: For all hearings that will be conducted by WebEx only:

- The Notice of Hearing filed in the case and served on parties in interest must: (1) provide notice that the hearing will be conducted by WebEx videoconference only, (2) provide notice of the above WebEx video participation/attendance link, and (3) attach a copy of these WebEx Hearing Instructions or provide notice that they may be obtained from Judge Jernigan's hearing/calendar site: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-jernigans-hearing-dates>.
- When electronically filing the Notice of Hearing via CM/ECF select "at <https://us-courts.webex.com/meet/jerniga>" as the location of the hearing (note: this option appears immediately after the first set of Wichita Falls locations). Do not select Judge Jernigan's Dallas courtroom as the location for the hearing.